

**UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

I, Brian E. Martin, being first duly sworn, do hereby depose and state that:

1. I have been a police officer over 20 years, and have received specialized training in several areas including computer crimes investigations, child pornography investigations (including training on state and federal laws regarding child exploitation, obscenity, and international sex tourism; training on the National Child Victim Identification Program, used to track the transmission of digital files being circulated through various forms of computer-related media such as Internet websites; and additional training in file-sharing/peer-to-peer network investigations), and child exploitation investigations in general. I have been assigned to the Southwest Missouri Cyber Crimes Task Force (hereinafter SWMCCTF) since 2008. I have been cross-designated as a task force officer (hereinafter TFO) with the Department of Homeland Security Investigations. I have been involved in over 100 investigations of the exploitation of children.
2. I am familiar with the information contained in this affidavit based upon the investigation. I have personally conducted conversations with other law enforcement officers involved in this investigation, and reviewed records obtained in the investigation.
3. The information contained in this affidavit is not an exhaustive account of everything I know about this case, and contains only the facts that I believe are necessary to establish probable cause in support of a criminal complaint against DELBERT CLAY FEEZELL (hereinafter FEEZELL), for violation of 18 U.S.C § 2252(a)(2), that is, possession of child pornography.

4. On January 25, 2016, I opened an investigation pertaining to CyberTip 7284258. The CyberTip was originally filed with the National Center for Missing and Exploited Children (hereinafter NCMEC), the national clearinghouse for such reports, by YouTube, Inc. (hereinafter “YouTube”) on November 22, 2015.
5. I later reviewed the CyberTip from NCMEC. According to the CyberTip, on November 20, 2015, a user with the screenname “clay clay” posted a video of a young female, less than 18 years of age, engaging in sexual acts. The email address associated with the posting account is “delbertfeezell61@gmail.com.” The video was posted from Internet protocol (IP) address 174.126.51.19. This IP address was determined to be assigned to Cable One IP. An investigative subpoena was sent to Cable One to determine the subscriber.
6. I reviewed the 13 files submitted by YouTube with the Cybertip. All of the files contained what I believed to be child pornography. One such video depicts a child, probably no older than 12 years of age, wearing only a pink t-shirt with a clothing company logo. She is in a bathroom. The video shows the girl inserting her fingers into her vagina. The girl also inserts the handle of a plunger inside her vagina, and then inserts her fingers into her vagina and then her mouth.
7. When checking social media websites using the email address delbertfeezell61@gmail.com, accounts were located on the social media websites, “hi5” and “Tagged.” On both of those accounts, the account holder has written the phrase, “Daddy wants his little princess.” The user also lists his address as Joplin, Missouri, on both accounts.
8. In searching the Joplin Police Records Management System, I located the name Delbert

FEEZELL. The reports revealed FEEZELL's date of birth as May 30, 1961, and his Social Security Number as 491-74-5742. FEEZELL is a registered sex offender, and he currently lists his address as 1857 West 23rd Street, Joplin, Missouri 64804. This address is located in the Western District of Missouri. The date of FEEZELL's last registry on the sex offender registry was February 29, 2016. FEEZELL is required to register as a sex offender, for a 1994 conviction for sexual abuse in the third degree in Dade County, Missouri. The registration lists his victim as an eight-year-old female.

9. On February 23, 2016, Cable One responded to the investigative subpoena, listing the subscriber to IP address 174.126.51.19 as Erica Hughes, with a service address of 1855 West 23rd Street, Joplin, Missouri. 1855 and 1857 West 23rd Street are adjoining apartments in a five-apartment complex. I know from experience in these investigations that it is not uncommon for people to share passwords for Internet access among friends and neighbors.
10. On April 7, 2016, I received Cybertips 9102313 and 9102401. The images provided in the Cybertips depicted images of an adult that were posted on "tagged.com." Tagged.com is a social discovery website based in San Francisco, California, founded in 2004. It allows members to browse the profiles of other members, and share tags and virtual gifts. Many of the images that were provided in the Cyber Tips, are obscene images, depicting FEEZELL, in various states of undress, including pictures that he purports to be his penis. In Cyber Tip 9102313, the suspect refers to himself as Dave Clay, and states he is from Joplin. The suspect purports to be 38 years of age, and provides the email address "daveclay474@gmail.com." The suspect posted 38 pictures, several of which are obscene. At least one of these pictures appears to be identical to the

pictures discovered in the investigation of Cybertip 7284258. In Cybertip 9102401, the suspect identifies himself as “Clay Clay,” lists his age as 54, and provides email address “clayclay474@gmail.com.” Many of the pictures are the same as in the previous Cybertip. I reviewed the images contained in the Cybertips and compared the images to FEEZELL’s Missouri Driver’s License photo, as well as the photo of FEEZELL listed on the sex offender registry. The images depicted in the Cyber Tips are that of FEEZELL.

11. Cybertips 9102126 and 9096347 were received on April 7, 2016, and also concerned pictures posted on “tagged.com.”
12. Cybertip 9102126 concerns the posting of 37 images of a female below the age of 18. In one of those pictures, a naked female around 12 years of age is depicted displaying her vagina and breasts. Another girl is standing in front of a mirror, taking a picture of herself with her hand inside her shorts, touching her vagina. Her vagina is not seen because her hand is in the way. The poster purports to be 18 years old, and provides the email address “daykotasumme@gmail.com,” and provides the screen name “Dakoya Summer,” residing in Joplin, Missouri. There is at least one picture that is the same as in the previous Cyber Tips.
13. Cyber Tip 9096347 concerns the posting of 14 pictures, some of which constitute child pornography. One of those pictures depicts what appears to be a child around 12 to 13 years of age, fully nude, exposing her vagina and breasts in a mirror. This appears to be the same girl depicted in the images submitted with Cybertip 9102126. Other pictures contain sexually explicit depictions of the same girl.
14. Four of the five Cybertips indicate that the pictures were posted from IP address 174.126.51.19. All of the Cyber Tips have at least one picture in common with the other

Cyber Tips, most of them depicting FEEZELL in at least one picture. Another common picture in the Cyber Tips is a painting of a horse and a dog in a barn looking at each other, with the dog sitting in front of the horse. The Cyber Tip that has a different IP address, Cyber Tip 9102401, contains images that were posted between March and September 2015, and the report was made by tagged.com because of the similarity of the images of the suspect. In addition, the account was accessed from the same IP address.

15. On Tuesday, June 7, 2016, FBI TFO Chip Root sought and obtained a search warrant for 1857 West 23rd Street, Joplin, in the Western District of Missouri. The warrant was authorized by United States Magistrate Judge David Rush.
16. On Tuesday, June 14, 2016, FEEZELL was stopped by a Joplin Police Officer after leaving his residence. TFO Root provided a copy of the search warrant to FEEZELL after introducing himself and others to FEEZELL.
17. I then advised FEEZELL of his *Miranda* rights. I informed FEEZELL that he was not under arrest. FEEZELL denied accessing or viewing child pornography. FEEZELL was then allowed to go to his car and leave.
18. Investigators seized one Dell laptop computer and one cell phone from FEEZELL's residence.
19. The items were transported to the Cyber Lab at Joplin Police Department. TFO James Smith then performed a forensic preview of the computer. TFO Smith located evidence that the ARES file-sharing software was installed on the computer, and that FEEZELL had at least partially downloaded several files with titles indicative of child pornography. A video file depicting two prepubescent females, who appeared to be between the ages of 8 and 10, engaging in sexual acts, including oral sexual intercourse, was located in the

computer's recycle bin. The video is 8 minutes, 43 seconds in length. The forensic examination of the computer is ongoing.

/s/ Brian E. Martin

Brian E. Martin, Task Force Officer
Southwest Missouri Cyber Crime Task Force

Subscribed and sworn to before me this 15th day of June, 2016.

/s/ David P. Rush

DAVID P. RUSH
UNITED STATES MAGISTRATE JUDGE